

**Supplemental  
Notice of Allowability**

Application No.

10/653,926

Examiner

Meless N. Zewdu

Applicant(s)

HASHIMOTO ET AL.

Art Unit

2617

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 3/31/09.
2. ☒ The allowed claim(s) is/are 1-8, 18 and 26-41.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some\* c) ☐ None of the:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- \* Certified copies not received: \_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |  |  |
|--|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)   | 5. <input type="checkbox"/> Notice of Informal Patent Application  |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date <u>4/7/09</u> . |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),<br>Paper No./Mail Date ____     | 7. <input type="checkbox"/> Examiner's Amendment/Comment   |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material | 8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance                                  |
|  | 9. <input type="checkbox"/> Other ____.  |

**DETAILED ACTION**

***Response to Amendment***

1. This action is in response to the communication filed on 3/31/09.
2. Claims 9-17 and 19-25 were previously cancelled.
3. Claims 1-8, 18 and 24-41 are pending in this action.
4. With regard to claims 1-8, 26-38, 40 and 41, examiner has found applicant's argument persuasive. As a result, finality of action has been withdrawn and prosecution reopened.
5. With regard to claim 39, examiner conducted an interview communication with applicant's representative on 4/7/09 which resulted in the amendment of claim 39 so as to place the claim in an allowable condition. Examiner's amendment can be found attached to this Office Action. Also attached to this Office Action is the interview summary of 4/7/09.
6. Claims 1-8, 18 and 26-41 are allowed.

**EXAMINER'S AMENDMENT**

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

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Authorization for this examiner's amendment was given in a telephone interview with Peter W. Bradford (Reg. No. 50,080) on 4/7/09.

The application has been amended as follows:

Please amend the claims as follows:

In claim 39, on line 1, change "A packet transmission method" into --- A packet transmission method performed by a base station, ---,

In claim 39, on line 7, change "transmitting said capsulated packet" into --- transmitting said capsulated packet, wherein the sorting, the accumulating, the capsulating and the transmitting steps are performed by the base station ----,

In claim 5, on line 3, change "said wireless LAN terminals" into --- said at least one wireless LAN terminal ---,

In claim 5, on lines 3-4, change "said base stations" into --- said at least one base station ---,

In claim 5, on lines 4-5, change "said wireless terminals" into -- said at least one wireless terminal ---,

In claim 6, on line 4, change "the wireless LAN terminal" into --- the at least one wireless ALN terminal ---,

In claim 6, on lines 4-5, change "said base station" into --- said at least one base station---,

In claim 6, on line 10, change "to IP" into --- to the IP ---,

In claim 6, on line 10, change "said wireless LAN terminal" into --- said at least one wireless LAN terminal ---,

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In claim 6, on lines 9-10, change "said wireless LAN terminal" into --- said at least one wireless LAN terminal ---,

In claim 6, on line 11, change "said base station" into --- said at least one base station ---,

In claim 6, on line 11, change "said wireless LAN terminal" into --- said at least one wireless LAN terminal ---,

In claim 8, on line 6, change "the latest" into --- a latest ---,

In claim 8, on line 6, change "the reception" into --- a reception ---,

In claim 18, on line 11, change "terminal reception" into --- a terminal reception ---  
,

In claim 37, on line 2, change "a capsulated packet transmission" into --- the capsulated packet transmission ---,

In claim 38, on line 2, change "transmits prioritized capsulated packets" into --- the prioritized capsulated packets ---,

### ***Allowable Subject Matter***

Claims 1-8, 18 and 26-41 are allowed.

The following is an examiner's statement of reasons for allowance: the reason for allowance is based on applicant's argument presented in the instant response..

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably

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accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Meless N. Zewdu whose telephone number is (571) 272-7873. The examiner can normally be reached on 8:30 am to 5:00 pm..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bost Dwayne D can be reached on (571) 272-7023. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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Any inquiry of a general nature relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272-2600.

/Meless N Zewdu/  
Primary Examiner, Art Unit 2617  
5/29/2009